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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,805	03/29/2004	Genichi Imamura	15146-015001	9693
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EXAMINER				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/810,805

Applicant(s)

IMAMURA, GENICHI

Examiner

Chandras Patel

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) 2, 7 and 10-22 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-6, 8, 9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

The following rejection is made in view of applicant's submitted amendments.

Amendments made to claims necessitated finality of this rejection.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, the claim recites "the switching controller controls said switch based on a signal from **the monitor** ..." Earlier in the claim it recites a digital monitor and an analog monitor. The claim does not distinctly state if the switch is being controlled by a digital monitor, or an analog monitor, or by both.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 3-6, 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Kanekawa et al. (USPN 6,513,131).

Regarding claim 1, Kanekawa teaches a change-over apparatus for a broadcasting system including a pair of devices comprising a main device and a backup device [Abstract], wherein the change-over apparatus comprising; a switch that is connected to receive an output signal from the main device and an output signal from the backup device [Fig. 17, 210, 203 is main device and 203' is a backup device]; and a switching controller that is connected to receive, the output signal from the main device and the output signal from the backup device and controls the switch [Fig. 17, 208 receives signals from 203 and 203'], the switching controller comprising a monitor [Fig. 18, 212 are monitoring circuits] including: a digital monitor that performs based on digital monitoring for monitoring the output signal from the main device and the output signal from the backup device from a digital signal aspect [Col. 13, lines 24-33, the monitoring circuit compares signatures of signals on the bus], and an analog monitor that performs analog monitoring for monitoring the output signal from the main device and the output signal from the backup device from an analog signal aspect [Col. 14, lines 30-41, the circuit monitors the pulse of periodic waveform], wherein the switching controller controls the switch based on a signal from the monitor to change over from the main device to the backup device [Col 12, line 63 – Col 14, line 3, the switch is being controlled based on value of signals from result of 212 and 213].

Regarding claim 3, Kanekawa teaches the switching controller operates based on one or both of the digital monitoring and the analog monitoring [Col. 13, lines 24-33 and Col. 14, lines 30-41, checks signatures and periodic waveform pulses].

Regarding claim 4, Kanekawa teaches the digital monitoring and the analog monitoring include monitoring related to standards associated with the broadcasting system [**Col. 14, lines 30-41, any standard associated with a signal can be related to the broadcasting system**].

Regarding claim 5, Kanekawa teaches the digital signal aspect includes an aspect of data represented by a digital signal [**Col. 4, lines 28-33**].

Regarding claim 6, Kanekawa teaches the analog signal aspect includes a level of a signal [**Col. 14, lines 30-41**].

Regarding claim 8, Kanekawa teaches each of the devices is a reference signal generator for the broadcasting system [**Fig. 17, 203 and 203' can broadcast as shown in Fig. 36, 304**].

Claim Rejections - 35 USC § 103

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kanekawa et al. (USPN 6,513,131) in view of Kasparian et al. (USPN 5,007,050).

Regarding claim 9, Kanekawa teaches an apparatus as discussed in rejection of claim 1.

However, Kanekawa does not teach the signal from the main device is a serial digital interface (SDI) signal.

Kasparian teaches the signal associated with the main device is a serial digital interface (SDI) signal [**Abstract**].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a serial digital interface so that communication of signals between microprocessors can be done [**Abstract**].

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chandrahas Patel whose telephone number is (571)270-1211. The examiner can normally be reached on Monday through Thursday 7:30 to 17:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on 571-272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ricky Ngo/
Supervisory Patent Examiner, Art Unit
2616

/Chandrabhas Patel/
Examiner, Art Unit 2616